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James S. Reid
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Berkeley, CA 94707

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JAN 23 2002

OFFICE OF PETITIONS

In re Application of
Reid et al.

Application No. 09/739,933

Filed: 18 December, 2000

For: COMPOSITIONS AND METHODS FOR MANIPULATING GLIAL PROGENITOR CELLS AND
TREATING NEUROLOGICAL DEFICITS

Dear Mr. Reid:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Douglas I. Wood at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

GREGORY P. EINHORN
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Paper No. 10

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OFFICE OF PETITIONS

In re Application of :
Reid et al. :
Application No. 09/739,933 : DECISION ACCORDING STATUS
Filed: 18 December, 2000 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 07306-021001 :

This is in response to the twice renewed petition under 37 CFR 1.47(a)¹ filed on 9 January, 2002 (certificate of mailing date 23 October, 2001).

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor, James S. Reid, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of petitioners' registered patent attorney, Michael Reed, establishes that the inventor was sent a copy of the application, but failed to sign and return the declaration naming him as a joint inventor along with James H. Fallon.

In accepting this statement, the Office is construing the petition as stating that attorney Reed has personal knowledge

¹A grantable petition under 37 CFR 1.47(a) requires:

(1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);

(2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;

(3) the petition fee; and

(4) a statement of the last known address of the non-signing inventor.

that a copy of the application papers (specification, including claims, drawings, if any, and the declaration) was sent to joint inventor Reid. Petitioners **must** inform the Office if this is an incorrect interpretation.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition, not the declaration. Notice of the filing of this application will also be published in the Official Gazette.

It is noted that petitioners submitted a petition fee of \$130.00 with the present petition. No petition fee is necessary for consideration of a renewed petition. The petition fee will be refunded to counsel's deposit account, No. 06-1050.

The application is being forwarded to Technology Center 1600 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.



Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy